

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA) INDICTMENT
)
) Case No. _____
)
) Violation: 18 U.S.C. §§ 1341, 1343,
) and 2
ADENKUNLE OLUFEMI ADETILOYE)

-vs-

COUNT ONE

Wire Fraud - "Albert Robinson"

The Grand Jury Charges:

Introduction

1. The defendant, ADENKUNLE OLUFEMI ADETILOYE, is charged in this Indictment with engaging in a scheme to defraud financial institutions out of money by assuming the identities of unsuspecting consumers by using information surreptitiously obtained to open U.S. Bank Visa credit card accounts in the unsuspecting consumer's names. After the account was opened, the address of record would be changed to an address controlled by ADENKUNLE OLUFEMI ADETILOYE, and charges were incurred on the account. These fraudulent offenses were committed in the District of North Dakota as well as various locations in the United States and Ontario, Canada;

2. As part of, and to effectuate his scheme to defraud unsuspecting consumers and financial institutions, ADENKUNLE OLUFEMI ADETILOYE used the United States Postal Service, interstate carriers, and interstate wire facilities.

The Scheme

3. On or about March 24, 2004, the Delaware Division of Corporations in Dover, Delaware, received a new document filing from Corporations USA, a corporate Registered Agent in Delaware, on behalf of Syspac Financial Services, Inc. via a two-page facsimile, resulting in Syspac Financial Services, Inc. being incorporated in the State of Delaware on or about March 24, 2004;

4. On or about April 19, 2004, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, falsely represented himself to be “Donald Douglas” and submitted an application for a Delaware business license to the Delaware Division of Revenue requesting a business license for Syspac Financial Services, Inc., a business purportedly to be involved in the “collection of debts” and “locating delinquent debtors.” The application listed “Donald Douglas” as the President and “John Moran” as the Director. The application stated that Syspac Financial Services, Inc.’s business address was 341 Raven Circle, Wyoming, Delaware 19934, which actually is the business address of the registered agent, Corporations USA. This application resulted in the Delaware Division of Revenue issuing a business license to Syspac Financial Services, Inc. on or about April 26, 2004;

5. On or about June 14, 2004, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, while falsely purporting to be “Donald Douglas,” submitted an application via facsimile on behalf of Syspac Financial Services, Inc. for a subscription to

for use of the database searching services. is a company that combines personal data sourced from multiple public and private databases for sale to the government and to the private sector. database of personal information contains names, addresses, social security numbers, and other sensitive data. Upon receiving authenticated copies of its Delaware business license, authorized Syspac Financial Services, Inc. to execute database searches;

6. On or about June 16, 2006, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, while falsely purporting to be "Donald Douglas," sent a facsimile to requesting a change of billing address for Syspac Financial Services, Inc. from 341 Raven Circle, Wyoming, Delaware 19934, to 2803B Philadelphia Pike, #145, Claymont, Delaware 19703. This new address represented a mailbox at Gat-Pak's Packaging Plus Service, which is a Commercial Mail Receiving Agency (CMRA), and was under the control of ADENKUNLE OLUFEMI ADETILOYE. CMRAs are used to receive mail as an alternative to a post office box with the United States Postal Service;

7. Between on or about June 17, 2004, and April 30, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, executed over 2,600 searches under Syspac Financial Services, Inc.'s account;

8. On or about October 27, 2005, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, while falsely purporting to be "Donald Douglas," President of Syspac Financial Services, Inc. submitted an application for

database service. is a locate-and-research tool available to government, law enforcement, and commercial customers with features that link individuals with businesses, addresses, phone numbers, and possible dates of employment. opened an database account for Syspac Financial Services, Inc. on or about October 31, 2005;

9. Between on or about November 2, 2005, and April 30, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, executed over 10,250 searches on the database on Syspac Financial Services, Inc.'s account, primarily for personal information, addresses, and employment histories. ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, searched the and databases to select and obtain personal information about unsuspecting consumers and used this information to open U.S. Bank Visa credit card accounts under false identities;

10. ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, made telephone calls to U.S. Bank about various Visa credit card accounts. These calls were routed to the U.S. Bank customer service center in Fargo, North Dakota;

11. ADENKUNLE OLUFEMI ADETILOYE, or an individual under his control, falsely reported to U.S. Bank that Visa credit cards were lost or stolen. These telephone calls caused the U.S. Bank customer service center in Fargo, North Dakota, to

mail replacement Visa cards to various mailboxes under ADENKUNLE OLUFEMI ADETILOYE's control;

12. ADENKUNLE OLUFEMI ADETILOYE, or an individual under his control, opened over 100 mailboxes at CMRAs cross the United States. These CMRA boxes were used to receive fraudulently obtained credit cards. ADENKUNLE OLUFEMI ADETILOYE, or an individual under his control, instructed employees of the CMRAs to forward any mail received at these boxes to several Canadian CMRAs in Toronto and Mississauga, Ontario, Canada, also under ADENKUNLE OLUFEMI ADETILOYE's control;

13. ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, used the U.S. Bank Visa credit cards, which were obtained under false identities, to incur approximately \$78,292.07 in charges, primarily in and around the Toronto, Canada, area on the following accounts:

	<u>US Bank Visa Card Number</u>	<u>Charges</u>	<u>Name of card holder</u>
a.	xxxx xxxx xxxx 5635	\$30,630.85	"Albert Robinson"
b.	xxxx xxxx xxxx 3314	\$15,453.57	"Ervin Hinds"
c.	xxxx xxxx xxxx 4012	\$32,207.65	"Craig Leymaster"

Specific Acts of Fraud and Misrepresentation

"Albert Robinson"

14. Before on or about January 11, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, searched the database and database for personal information pertaining to "Albert Robinson;"

15. On or about January 11, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, while falsely using the identity and personal information of “Albert Robinson,” submitted a telephone application for a U.S. Bank Visa credit card account. U.S. Bank approved the account application and opened the account;

16. On or about January 22, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, while falsely using the name and identity of “Albert Robinson,” contacted U.S. Bank by telephone to change the mailing address that was provided in the application to an address under ADENKUNLE OLUFEMI ADETILOYE’s control;

17. On or about February 5, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, while falsely representing himself to be “Albert Robinson,” made a telephone call to the U.S. Bank customer service support center in Fargo, North Dakota, and reported his U.S. Bank Visa card as being lost or stolen;

18. On or about February 6, 2007, as a result of the false report stating that the “Albert Robinson” Visa credit card had been lost or stolen, U.S. Bank sent a replacement Visa credit card, via United Parcel Service (UPS), from Fargo, North Dakota, to an address under the control of ADENKUNLE OLUFEMI ADETILOYE;

19. On or about April 8, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, represented himself as “Albert Robinson,” and contacted by

telephone the U.S. Bank customer service support center in Fargo, North Dakota, to place his credit card into “travel status” to remove suspicion from transactions in Canada.

“Ervin Hinds”

20. Before on or about March 23, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, searched the and databases for personal information pertaining to “Ervin Hinds;”

21. On or about March 23, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, falsely used the personal identity and information of “Ervin Hinds” and applied for a U.S. Bank Visa credit card;

22. On or about April 2, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, while falsely representing himself as “Ervin Hinds,” contacted by telephone the U.S. Bank customer support service center in Fargo, North Dakota, to change the mailing address from the address stated on the application to an address under the control of ADENKUNLE OLUFEMI ADETILOYE;

23. On or about April 5, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, while falsely purporting to be “Ervin Hinds,” contacted by telephone the U.S. Bank customer support service center in Fargo, North Dakota, and falsely reported that the credit card had been lost or stolen;

24. On or about April 5, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, while falsely representing himself to be “Ervin Hinds,”

requested a replacement Visa credit card from U.S. Bank, Fargo, North Dakota, to be mailed to an address that was controlled by ADENKUNLE OLUFEMI ADETILOYE. In response to this communication, on or about April 9, 2007, U.S. Bank sent by mail a replacement Visa credit card from Fargo, North Dakota, to an address under the control of ADENKUNLE OLUFEMI ADETILOYE.

“Craig Leymaster”/“Jeffrey King”

25. Before on or about December 29, 2006, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, through means known and unknown to the Grand Jury, obtained the personal information for “Jeffrey King” and “Craig Leymaster;”

26. On or about December 29, 2006, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, applied for a U.S. Bank Visa credit card under the name of “Craig Leymaster,” using the social security number of “Jeffrey King.” Based on this application, U.S. Bank issued a Visa credit card to “Craig Leymaster;”

27. On or about January 11, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, contacted by telephone U.S. Bank and requested a change of address for the “Craig Leymaster” account from the address provided in the application to an address under the control of ADENKUNLE OLUFEMI ADETILOYE;

28. On or about January 15, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, contacted by telephone U.S. Bank and reported the “Craig Leymaster” credit card as being lost or stolen;

29. On or about January 17, 2007, as a result of the false report stating that the “Craig Leymaster” credit card had been lost or stolen, U.S. Bank sent by mail a replacement Visa credit card from Fargo, North Dakota, to an address under the control of ADENKUNLE OLUFEMI ADETILOYE;

30. On or about February 8, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, contacted by telephone the U.S. Bank customer support service center in Fargo, North Dakota, and by falsely representing himself as “Craig Leymaster,” placed the “Craig Leymaster” credit card into “travel status” to remove suspicion from transactions in Canada;

31. On or about July 14, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, contacted by telephone the U.S. Bank customer support service center in Fargo, North Dakota, purporting himself as a merchant named “Monte Brown,” on behalf of a vender, “Town Shoes,” to obtain a \$445.00 credit card charge authorization on the “Craig Leymaster” credit card.

“Michael Adkins”

32. On or about August 13, 2007, ADENKUNLE OLUFEMI ADETILOYE, or an individual at his direction, using the personal information of “Michael Adkins,”

applied for and received a U.S. Bank Visa credit card account under the name of “Michael Adkins;”

33. On or about August 25, 2007, ADENKUNLE OLUFEMI ADETILOYE contacted by telephone the U.S. Bank customer support service center in Fargo, North Dakota, and while falsely representing himself as “Michael Adkins,” requested a change of address from the address stated on the application to an address under the control of ADENKUNLE OLUFEMI ADETILOYE;

34. On or about February 5, 2007, in the District of North Dakota and elsewhere,

ADENKUNLE OLUFEMI ADETILOYE,

for the purpose of executing and attempting to execute the aforementioned scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted in interstate and foreign commerce, by means of wire communications, certain signs, signals, and sounds; that is, via telephone lines, contacting by telephone the customer support service center of U.S. Bank, a financial institution, in Fargo, North Dakota, and falsely representing himself as “Albert Robinson,” to report his credit card lost or stolen;

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT TWO

Mail Fraud - "Albert Robinson"

The Grand Jury Further Charges:

1. The Grand Jury realleges and incorporates by reference paragraphs 1-33 of Count One of this Indictment;

2. On or about February 6, 2007, in the District of North Dakota, and elsewhere,

ADENKUNLE OLUFEMI ADETILOYE,

for the purpose of executing and attempting to execute the scheme to defraud, did knowingly cause to be delivered by United Parcel Service (UPS), and in furtherance thereof, a replacement Visa credit card, by falsely representing himself to be "Albert Robinson," from U.S. Bank, Fargo, North Dakota, to an address controlled by ADENKUNLE OLUFEMI ADETILOYE;

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT THREE

Wire Fraud - "Albert Robinson"

The Grand Jury Further Charges:

1. The Grand Jury realleges and incorporates by reference paragraphs 1-33 of Count One of this Indictment;

2. On or about April 8, 2007, in the District of North Dakota and elsewhere,

ADENKUNLE OLUFEMI ADETILOYE,

for the purpose of executing and attempting to execute the aforementioned scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted in interstate and foreign commerce, by means of wire communications, certain signs, signals, and sounds; that is, via telephone lines, contacting by telephone the customer support service center of U.S. Bank, a financial institution, in Fargo, North Dakota, and falsely representing himself as "Albert Robinson," to place his credit card into "travel status;"

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT FOUR

Wire Fraud - "Ervin Hinds"

The Grand Jury Further Charges:

1. The Grand Jury realleges and incorporates by reference paragraphs 1-33 of Count One of this Indictment;

2. On or about April 2, 2007, in the District of North Dakota and elsewhere,

ADENKUNLE OLUFEMI ADETILOYE,

for the purpose of executing and attempting to execute the aforementioned scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted in interstate and foreign commerce, by means of wire communications, certain signs, signals, and sounds; that is, via telephone lines, contacting by telephone the customer support service center of U.S. Bank, a financial institution, in Fargo, North Dakota, and falsely representing himself as "Ervin Hinds," to change the mailing address on the account;

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT FIVE

Wire Fraud - "Ervin Hinds"

The Grand Jury Further Charges:

1. The Grand Jury realleges and incorporates by reference paragraphs 1-33 of Count One of this Indictment;

2. On or about April 5, 2007, in the District of North Dakota and elsewhere,

ADENKUNLE OLUFEMI ADETILOYE,

or an individual at his direction, for the purpose of executing and attempting to execute the aforementioned scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted in interstate and foreign commerce, by means of wire communications, certain signs, signals, and sounds; that is, via telephone lines, contacting by telephone the customer support service center of U.S. Bank, a financial institution, in Fargo, North Dakota, and purporting himself as "Ervin Hinds," to report his credit card lost or stolen;

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT SIX

Mail Fraud - "Ervin Hinds"

The Grand Jury Further Charges:

1. The Grand Jury realleges and incorporates by reference paragraphs 1-33 of Count One of this Indictment;

2. On or about April 9, 2007, in the District of North Dakota, and elsewhere,

ADENKUNLE OLUFEMI ADETILOYE,

for the purpose of executing and attempting to execute the scheme to defraud, did knowingly cause to be delivered by mail, and in furtherance thereof, a replacement Visa credit card from U.S. Bank, Fargo, North Dakota, by falsely representing himself to be "Ervin Hinds," to an address controlled by ADENKUNLE OLUFEMI ADETILOYE;

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT SEVEN

Mail Fraud - “Craig Leymaster”/“Jeffrey King”

The Grand Jury Further Charges:

1. The Grand Jury realleges and incorporates by reference paragraphs 1-33 of Count One of this Indictment;

2. On or about January 17, 2007, in the District of North Dakota, and elsewhere,

ADENKUNLE OLUFEMI ADETILOYE,

for the purpose of executing and attempting to execute the scheme to defraud, did knowingly cause to be delivered by mail, and in furtherance thereof, a replacement Visa credit card from U.S. Bank, Fargo, North Dakota, by falsely representing himself to be “Craig Leymaster,” to an address controlled by ADENKUNLE OLUFEMI ADETILOYE;

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNT EIGHT

Wire Fraud - “Craig Leymaster”/“Jeffrey King”

The Grand Jury Further Charges:

1. The Grand Jury realleges and incorporates by reference paragraphs 1-33 of Count One of this Indictment;

2. On or about February 8, 2007, in the District of North Dakota and elsewhere,

ADENKUNLE OLUFEMI ADETILOYE,

for the purpose of executing and attempting to execute the aforementioned scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted in interstate and foreign commerce, by means of wire communications, certain signs, signals, and sounds; that is, via telephone lines, contacting by telephone the customer support service center of U.S. Bank, a financial institution, in Fargo, North Dakota, and falsely representing himself as “Craig Leymaster,” to place his credit card into “travel status;”

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT NINE

Wire Fraud - “Craig Leymaster”/“Jeffrey King”

The Grand Jury Further Charges:

1. The Grand Jury realleges and incorporates by reference paragraphs 1-33 of Count One of this Indictment;

2. On or about July 14, 2007, in the District of North Dakota and elsewhere,

ADENKUNLE OLUFEMI ADETILOYE,

for the purpose of executing and attempting to execute the aforementioned scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted in interstate and foreign commerce, by means of wire communications, certain signs, signals, and sounds; that is, via telephone lines, contacting by telephone the customer support service center of U.S. Bank, a financial institution, in Fargo, North Dakota, and falsely purporting himself as a merchant named “Monte Brown,” on behalf of a vender, “Town Shoes,” to obtain a \$445.00 credit card charge authorization on the “Craig Leymaster” credit card;

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT TEN

Wire Fraud - "Michael Adkins"

The Grand Jury Further Charges:

1. The Grand Jury realleges and incorporates by reference paragraphs 1-33 of Count One of this Indictment;

2. On or about August 25, 2007, in the District of North Dakota and elsewhere,

ADENKUNLE OLUFEMI ADETILOYE,

for the purpose of executing and attempting to execute the aforementioned scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted in interstate and foreign commerce, by means of wire communications, certain signs, signals, and sounds; that is, via telephone lines, contacting by telephone the customer support service center of U.S. Bank, a financial institution, in Fargo, North Dakota, and falsely representing himself as "Michael Adkins," to change the mailing address on the account;

In violation of Title 18, United States Code, Sections 1343 and 2.

FORFEITURE ALLEGATION

The felony offenses alleged in Counts One through Ten of this Indictment, each punishable by imprisonment for more than one year, are hereby realleged and incorporated by reference for the purpose of alleging forfeitures, pursuant to the provisions of 18 U.S.C. §§ 981(a)(1)(C), 982(a)(3), and 28 U.S.C. § 2461(c).

Upon conviction of one or more of the offenses alleged in Counts One through Ten of this Indictment, the defendant, ADENKUNLE OLUFEMI ADETILOYE, shall forfeit to the United States, pursuant to 18 U.S.C. §§ 981(a)(1)(C), 982(a)(3), and 28 U.S.C. § 2461(c), all of his right, title, and interest in any property, real or personal, which constitutes or is derived from proceeds traceable to the violations of 18 U.S.C. §§ 1341 and 1343.

If any of the assets described above as being subject to forfeiture, pursuant to 18 U.S.C. § 1955(d), as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred to, sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by

28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendant up to the value of said property described above as being subject to forfeiture.

A TRUE BILL:

/s/ Grand Jury Foreperson

/s/ Drew H. Wrigley
DREW H. WRIGLEY
United States Attorney

NWC:vlt